

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**CERTIFICATION OF NO RESPONSE OR OBJECTION REGARDING  
CITY OF DETROIT’S MOTION UNDER THE ORDER,  
PURSUANT TO SECTIONS 105 AND 502 OF THE BANKRUPTCY CODE,  
APPROVING ALTERNATIVE DISPUTE RESOLUTION  
PROCEDURES TO PROMOTE THE LIQUIDATION OF CERTAIN  
PREPETITION CLAIMS AGAINST THOMAS MCCrackEN,  
MICHAEL KEARNS, AND RICHARD CADOURA**

On June 8, 2017, the City Of Detroit (“City”) filed its *Motion Under the Order, Pursuant to Sections 105 and 502 of the Bankruptcy Code, Approving Alternative Dispute Resolution Procedures to Promote the Liquidation of Certain Prepetition Claims Against Thomas McCracken, Michael Kearns, and Richard Cadoura* (“Motion”). [Doc. No. 11901]. The Motion was served via first class mail as described in the Certificate of Service attached to the Motion. *See Certificate of Service* Exhibit A.

No response or objection to the Motion was filed with the Court and the time to do so has passed. The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order* Exhibit B.

Respectfully submitted,

By: /s/ Marc N. Swanson

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ATTORNEYS FOR THE CITY OF DETROIT

DATED: June 27, 2017

## **Exhibit A**

**EXHIBIT 4 – CERTIFICATE OF SERVICE**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on June 8, 2017, the *City of Detroit's Motion Under the Order, Pursuant to Sections 105 and 502 of the Bankruptcy Code, Approving Alternative Dispute Resolution Procedures to Promote the Liquidation of Certain Prepetition Claims Against Thomas McCracken, Michael Kearns, and Richard Cadoura* was served upon the individuals listed below via first class mail:

Thomas McCracken  
845 Atkinson St  
Detroit, MI 48202

Michael Kearns  
19827 Great Oaks Circle N  
Clinton Twp., MI 48036

Richard Cadoura  
8533 Mathias Dr. #30  
Grosse Ile, MI 48138

DATED: June 8, 2017

By: /s/ Marc N. Swanson

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## **Exhibit B**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,  
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER GRANTING CITY OF DETROIT’S MOTION UNDER THE  
ORDER, PURSUANT TO SECTIONS 105 AND 502 OF THE  
BANKRUPTCY CODE, APPROVING ALTERNATIVE DISPUTE  
RESOLUTION PROCEDURES TO PROMOTE THE LIQUIDATION OF  
CERTAIN PREPETITION CLAIMS AGAINST THOMAS MCCrackEN,  
MICHAEL KEARNS, AND RICHARD CADOURA**

This matter, having come before the court on the *City of Detroit’s Motion Under the Order, Pursuant to Sections 105 and 502 of the Bankruptcy Code, Approving Alternative Dispute Resolution Procedures to Promote the Liquidation of Certain Prepetition Claims Against Thomas McCracken, Michael Kearns, and Richard Cadoura* (“Motion”) upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

**THE COURT ORDERS THAT:**

1. The Motion is granted.

2. Claim numbers 682, 683, and 685 are disallowed and expunged.
3. The City's claims agent is authorized to update the claims register accordingly.